REAL ESTATE REGULATORY AUTHORITY, BIHAR

Before the Bench of

Hon'ble Member Mr. S.D. Jha, RERA, Bihar,

RERA/CC/184/2023

Mr. Manju Kumari OR Manju Rai …… Complainant

Vs.

M/s A &A Engicon Pvt. Ltd. …..… Respondent

For the complainant: In person

For the Respondent: Mr. Syed Shahid Imam, Advocate

Project:– SAFFRON GARDEN 'A'

PROCEEDING

06.03.2024 Hearing taken up. The complainant appears in person. Mr. Syed Shahid Imam, Advocate, appears for the respondent.

The respondent' counsel files written submission on affidavit today in compliance of the proceeding dated 12.12.2023 and a copy of which has been handed over to the complainant before the Bench. He submits that in the said submission he has replied to all the four points as directed by the Authority vide proceeding dated 12.12.2023.

Learned counsel for the respondent submits that this complaint was filed only for allotment of flat but in her rejoinder dated 22.01.2024 she has sought reliefs, inter alia, to complete the project and obtain Completion and Occupancy Certificates, handover possession of flat with parking space etc., to which the complainant submits that she has amended her prayer by filing this rejoinder. He further submits that the complainant has not supplied copy of the petition dated 16.11.2023 to him in spite of direction given to her in the proceeding dated 12.12.2023, to which the complainant submits that she would supply the same today by mail.

Learned counsel for the complainant also submits that the complainant has concealed the fact in her complaint about payment of Rs.5,00,000/- to the respondent on

9.10.2017 which was refunded to her on 17.10.2017, to which complainant submits that since this transaction was squared up she did not mention it in her complaint. Lastly, he submits that the respondent received only 15,00,000/- from the complainant and further Rs.4,00,000/-, which the complainant claims to have paid Rs.3,00,000/- on 10.02.2016 and Rs.1,00,000/- on 12.02.2016, has not been received by the respondent – A & A Engicon Pvt. Ltd. and the same are not reflected to the statements of Bank Account of the respondent, which are available with him. The respondent is ready to refund Rs.15,00,000/- to the respondent.

The Authority directs the respondent – promoter to obtain a letter from the concerned Bank indicating therein that the aforesaid two amounts of Rs.3,00,000/- & Rs.1,00,000/- have not been credited to any of the Bank Accounts of the respondent company – A & A Engicon Pvt. Ltd., on 10.02.2016 & 12.02.2016. The said letter would be filed with an affidavit alongwith his submissions within two weeks with a copy to the complainant, who will also file her reply within a week thereafter.

Put up for hearing on 03.04.2024.

Sd/-
S.D. Jha,
Member